

RECEIVED UNITED STATES DISTRICT COURT
USDO, WESTERN DISTRICT OF LA.
TONY R. MOORE, CLERK
DATE 8/15/12 WESTERN DISTRICT OF LOUISIANA
BY DM SHREVEPORT DIVISION

UNITED STATES OF AMERICA : CRIMINAL NO. 11-CR-00062-04
:
VERSUS :
: JUDGE HICKS
JOHN DOE #4 : MAGISTRATE JUDGE HORNSBY
a/k/a ee1 :

FACTUAL BASIS FOR PLEA OF GUILTY

NATURE OF THE ENTERPRISE

Beginning in January of 2008, an unnamed co-conspirator in the above entitled Second Superceding Indictment, created an Internet-based bulletin board, called Dreamboard. The purpose of Dreamboard was to facilitate the distribution of child pornography between its members.

In order to distribute child pornography on Dreamboard members would post advertisements on the board. The advertisements would typically give a description of the child pornography that was being offered for distribution. They would also typically give sample images from the material being offered so that a member viewing the posting could determine if he wished to obtain the complete child pornography files. Along with the name and the images that were in the posting, there would be a link and a password. The link was to another web site whose sole purpose was to store encrypted files. If a member of the board wanted to obtain the child pornography being advertised in the posting on Dreamboard, he could go to the web site link and enter the password given in the

advertisement. He then would be given access to the advertised child pornography for downloading.

In order to become a member of Dreamboard the applicant had to create a screen name and password. He next had to submit an advertisement to distribute child pornography, as described above, to the creator/administrator containing a certain amount of child pornography. The advertisement was required to contain preview images. This was referred to as the person's application or audition to become a member. The creator/administrator would decide whether to give the person membership to the board. He would also determine what level of membership the person would be given. After a person became a member, he was required to post advertisements for child pornography on a regular basis. If a member failed to post child pornography advertisements on a regular basis, their membership would be cancelled. The person would then have to reapply for membership as he had done initially.

Dreamboard contained five distinct levels of membership, with each level of membership providing access to different sections of the board. The highest level of membership was the administrator level. That level included Unnamed co-conspirators previously indicted in a companion Indictment including the creator/administrator. The creator/administrator was responsible for determining who would be allowed to become a member of Dreamboard and for determining which level of membership the person would be given. Other administrators of Dreamboard were responsible for protecting the security of both the members and the bulletin board and keeping the board operating. Administrators had access to all of the child pornography being advertised on Dreamboard.

The second highest level of membership was the "Super VIP." level. The period after "Super VIP" was part of the name of the level. That level of membership included those members of the board who were producing child pornography and posting homemade child pornography to the bulletin board. Only other members of the "Super VIP." level and Administrators had access to the child pornography that was advertised in the "Super VIP." section of Dreamboard. "Super VIP." members had access to all of the child pornography on Dreamboard.

The last three levels of membership were "Super VIP," "VIP," and "Members." The creator/administrator determined which of these levels of membership an applicant would be placed. He would also move existing members from one level to another based upon the quantity and quality of their posts. Each of these levels could see the posts on their membership level and on any lower level of Dreamboard. Every member of Dreamboard posted multiple advertisements during the time they were members. As a result of the multiple postings made by each member, each member was responsible for posting images of three or more minors engaging in sexually explicit conduct.

VENUE

EDWARD OEDEWALDT, a.k.a. twelvish, Legend, during all times relevant to the Second Superceding Indictment, was a member of Dreamboard. During the time that he accessed and posted material to Dreamboard, he was located in Arcadia, Louisiana, which is within the Western District of Louisiana. As such, he was a member of the enterprise, and during the life of the enterprise, he engaged in activities in support of the enterprise while located in the Western District of Louisiana.


DEFENDANT'S ROLE IN THE ENTERPRISE

DAVID ETTLINGER, admits that he is JOHN DOE #4, a.k.a. ee1 in Criminal Number 11-CR-00062. He joined Dreamboard on June 20, 2009. Though he joined the bulletin board as a member, his level was raised to VIP as a result of his postings. During the time that the defendant was a member of Dreamboard, he posted 56 posts. He primarily posted in the PT Vids section of the bulletin board. Most of his posts were of extremely young children posing or engaging in sexual acts with adults. Because the images included prepubescent children engaging in sexual acts with adults, the material was sadistic in nature


1. On or about the 27th of July, 2009, DAVID ETTLINGER, who has been identified as JOHN DOE #4 a.k.a. ee1, did knowingly publish on the Dreamboard Internet Bulletin Board an advertisement offering to distribute the file entitled *!!NEW!! Pthc ((Hussyfan)) nablot_1.avi*, which contained child pornography.
2. On or about the 1st day of August, 2009, DAVID ETTLINGER, who has been identified as JOHN DOE #4 a.k.a. ee1, did knowingly publish on the Dreamboard Internet Bulletin Board an advertisement offering to distribute the file entitled *Sami-RaveVib1.mpg*, which contained child pornography.
3. On or about the 17th day of October, 2009, DAVID ETTLINGER, who has been identified as JOHN DOE #4 a.k.a. ee1, did knowingly publish on the Dreamboard Internet Bulletin Board an advertisement offering to distribute

the file entitled *Girl 4yo Bald Pussy Rubbing #100-1937.mov*, which contained child pornography.

By signing this document, the defendant, DAVID ETTLINGER, who admits he is JOHN DOE #4, a.k.a. ee1, is agreeing to the accuracy of each and every fact submitted in the factual basis. This agreement by the defendant is made freely and voluntarily and not as a result of threat or coercion.




DAVID ETTLINGER, who has been identified as
JOHN DOE #4, a.k.a. ee1
Defendant



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